

Minutes of the State Board of Health
September 11, 2002

A meeting of the Washington State Board of Health (SBOH) was held at the Best Western CottonTree Inn in Mount Vernon, Washington. The public meeting of the SBOH was called to order at 9:30 a.m. by Linda Lake, Chair, who addressed the attendees with the following statement:

“This is a public meeting of the State Board of Health held under provision of RCW 43.20. Notice of the meeting was provided in accordance with provisions of RCW 34.05, the Administrative Procedures Act. Those members having any conflict of interest on any item coming before the Board will report that conflict with respect to the particular subject under consideration. In case of challenge of any Board members by the public, the Board shall decide the status of the challenged members to participate before considering the substance of the matter.

Copies of all materials supplied to the Board for today’s meeting have been available since close of business last Friday from the Board’s Olympia office and on the Board’s Web site at www.doh.wa.gov/sboh. They are also available today, along with anything else we have received since, at the table in the back of the room. To conserve public funds, we have only made as many copies as we feel will be needed, so we may run out of some particularly popular items. If you do not find a document you need, please ask Desiree Robinson, or another Board staff person for one.

Our meeting today is open to the public, so please feel free to listen in on informal discussions involving Board members or staff, including any that may occur during breaks or lunch.”

The following Board members were present:

Linda Lake, MBA, Chair
Maxine Hayes, MD
Vickie Ybarra, RN, MPH
Thomas H. Locke, MD, MPH
Charles Chu, DPM

Ed Gray, MD
Joe Finkbonner, MHA
Carl Osaki, RS, MSPH
Carolyn Edmonds, MPA
David R. Crump, PhD

State Board of Health Staff present:

Don Sloma, Executive Director
Craig McLaughlin, Senior Health Policy Manager
Marianne Seifert, Health Policy Advisor

Desiree Robinson, Executive Assistant
Jennifer Dodd, Assistant to the Board

Guests and Other Participants

Ruth Ammons, Office of the Insurance Commissioner
Michelle Davis, Department of Health
Peter Browning, Skagit County Department of Health
Ken Dahlstedt, Skagit County Commissioner
Bill Daley, Office of the Insurance Commissioner
Steve Olson, Skagit County Department of Health
Jeff Mero, Association of Washington Public Hospital Districts
Alex von Cube, Skagit County Department of Health
Corinne Story, Skagit County Department of Health
James Noel, Washington State Funeral Directors Association
Nori Kataba
Maggie Moran, Seattle-King County Board of Health
Katharine Sanders, Washington Health Foundation
Jim Patterson, Five Star Environmental Systems
John Whitbeck, Department of Health
Pat Starzyk, Department of Health
Ward Hinds, Snohomish Health District
Roger Serra, Snohomish County Department of Emergency Management
Don Leaf, consultant
Ann Lima, Department of Health
Paul Gibson, Hulbush Funeral Home
Sandra Johnson, St. Joseph Medical Center of Tacoma
James Green, Cle Elum parent
Thelma Simon, Cle Elum parent

INTRODUCTION OF NEW BOARD MEMBERS

WSBOH Chair Linda Lake introduced new Board members and referred to materials behind Tab 1. WSBOH members David Crump and Carolyn Edmonds introduced themselves and talked about their backgrounds.

MOMENT OF SILENCE IN RECOGNITION FOR SEPTEMBER 11, 2001

Chair Lake led a moment of silence and then acknowledged the Board members' and audience members' contributions to national public health preparedness efforts.

APPROVAL OF AGENDA

Motion: To approve the September 11, 2002 agenda.

Motion/Second: Crump/Locke

Approved Unanimously

ADOPTION OF MARCH 13, 2002 MEETING MINUTES

Motion: To approve the June 12, 2002 minutes as submitted.

Motion/Second: Crump /Locke

Approved Unanimously

WELCOME—SKAGIT COUNTY DEPARTMENT OF HEALTH

Peter Browning, Skagit County Department of Health Director, introduced Ken Dahlstedt, County Commissioner. Mr. Dahlstedt welcomed the Board and acknowledged its role in protecting public health, in particular food safety. Peter Browning described the Skagit County Physical Activity Coalition (see handout in Tab 3).

CR-102 HEARING – VITAL STATISTICS CHAPTER 246-491 WAC

WSBOH member Vickie Ybarra introduced the topic, and directed the Board members to materials behind Tab 4. John Whitbeck with the DOH Center for Health Statistics, also described the topic and the comments received. Mr. Whitbeck mentioned that copies of the full text of e-mail comments received are available to the Board members, and handed out a summary of comments (see materials behind Tab 4).

Public testimony—

James Noel from the Washington State Funeral Directors testified that he was here to thank the staff, and said that they had produced a document he thinks we can live with. No other public testimony was received.

Ms. Ybarra mentioned that all written comments have been responded to and that all commenters except for one have accepted their responses. Pat Starzyk from DOH recommended adding, “planned birth place if different,” which will provide data regarding intended home births that required transportation to a health care facility. Mr. Whitbeck mentioned that this could be added under question #4, and that doing so would not require an additional CR-102 process. Ms. Starzyk added that it would also be added to death certificate under question #5. Ms. Ybarra suggested amending the published draft rule by adding “planned birth place if different.” Board members discussed how the new rule would provide more useful and accurate data.

Motion: The Board approves changes to Chapter 246-491 WAC published in the Washington State Register as Code Reviser Document OTS 5810.1 and considered in public hearing today, with addition of “planned birth place if different” to Question #4.

Motion/Second: Subcommittee

Approved Unanimously

CR-102 HEARING – EMERGENCY POWERS CHAPTERS 246-100 & 246-101 WAC

WSBOH member Dr. Tom Locke reviewed last year's emergency powers discussion, mentioning the report *Response Capacity During a Health Emergency—A Review of Selected Issues*, the role of the Board, and the importance of addressing how to respond to communicable disease threats. Dr. Locke stated that Washington laws grant broad authority to local public health, but the current rules lack the specificity needed to do what we need to do to plan for emergencies. Dr. Locke reviewed the rule revision process. Craig McLaughlin, WSBOH staff, reviewed the procedures contained in the proposed rule revision (see Tab 5 for materials). A discussion ensued between members about

the definition of outbreak, whether “the health officer may” language in the existing rule should be replaced with “the health officer shall” to prevent liability problems, especially for part-time health officers; who would pay for peoples’ time if a quarantine decision is overturned; and provisions for enforcement of quarantine.

Public testimony—

- Dr. Ward Hinds, chair of the Washington State Association of Local Public Health Officials, testified in support of the rule and submitted a letter to the Board (see Tab 5).
- Roger Serra, Snohomish County Department of Emergency Management Director and member of the State Committee on Terrorism, thanked the Board for looking into this complex and critical issue. He said it is important that emergency management and law enforcement understand public health authorities and procedures prior to an emergency. He urged that emergency managers and law enforcement be involved in the isolation and quarantine discussions.

Chair Lake asked what would happen next. Dr. Locke said he is hopeful this could move along in an expedited manner and bring a revised version back to the Board for another hearing and possible adoption, possibly in October or December, depending on the complexity of changes. WSBOH member Carl Osaki asked about any opposition to the rule revision and Dr. Locke said he is not aware of any major objections or substantive criticisms at this time. Dr. Hayes said she was concerned when the Board started this work, but is now very happy the Board did take this on.

SBOH STAFF ANNOUNCEMENTS AND OTHER BOARD BUSINESS

SBOH Executive Director Don Sloma directed the Board to the FYI materials and summarized the process for new members. He reviewed specific items, including a letter from Governor Locke concerning the food code, a thank you note from The Honorable Neva Corkrum for being recognized for her years of service to the Board, and to a letter from the State Auditor explaining that they have completed their one year follow-up on whistleblower case No. 99-064 and they consider the matter closed. He presented a proposed meeting schedule for 2003 in the packets and asked for feedback from the Board, particularly members’ response to the idea of meeting during two shorter back-to-back days. Several Board members preferred one long day. Finally, he said the CR-101 for arsenic standards for drinking water would be issued soon.

PROPOSED POLICY ON MEMBERSHIPS IN PARTNERSHIP ORGANIZATIONS

Mr. Sloma directed the Board to the materials behind Tab 07 concerning a proposed policy on memberships and participation in partnership organizations. Mr. Crump asked whether the number of meetings interferes with the work of staff. Mr. Sloma said participation allows staff to amplify the voice of the Board.

Motion: The Board approves the proposed policy on state Board of Health staff member participation in committee or working group partnerships.

Motion/Second: Edmonds/Osaki

Approved Unanimously

Break for lunch and a tour of the Communities of Edison and Blanchard: Separate Community Solutions to On-Site Sewage
Reconvened at 2:35 pm.

BREIFING ON AGENCY MEDICAL DIRECTORS’ REPORT TO GOVERNOR’S SUBCABINET ON HEALTH

Gary Franklin, Department of Labor & Industries, Medical Director reviewed the report by the Agency Medical Directors Group to the Governor’s Subcabinet on Health and the Subcabinet’s response. Ms. Edmonds asked about long-term care issues, and Mr. Sloma answered that they weren’t specifically included. Dr. Hayes noted that the issues included will affect long-term care. Dr. Chu expressed concerns about use of different billing codes for reimbursement by different agencies. Mr. Franklin replied that the Governor asked agencies to address administrative burdens, and that they’re working on it.

UPDATE ON PREMERA CONVERSION

Bill Daley, Deputy Commissioner for Policy at the Office of the Insurance Commissioner, joined by Ruth Ammons, a staff attorney in the OIC policy area, briefed the Board on the anticipated proposal

from Premier Blue Cross to convert from a not-for-profit company to a for-profit company. The Insurance Commissioner must approve any such proposal, he said. He distributed a press release discussing two series of public meetings, a scheduled open hearing in December, and the requests for proposals for expert consultation. The Insurance Commissioner and the Attorney General will jointly sponsor the public meetings. Board members asked for clarification about the timing and scope of the hearings. In response to a question from Chair Lake, Ms. Ammons discussed how charitable assets from conversions have been allocated in other states.

DEPARTMENT OF HEALTH UPDATE

Dr. Hayes provided an update on Department of Health activities. She discussed the budget DOH submitted to the Office of Financial Management over the weekend. Requests for enhancements will include proposals to expand the food safety program, to add five newborn screening tests, and to require early hearing screening of newborns. There are also requests to increase FTE levels to staff bioterrorism preparedness efforts. She also discussed efforts to inventory and prioritize activities.

PROMOTING BEST PRACTICES AT LOCAL HEALTH DEPARTMENTS: INTEGRATION OF THE ESSENTIAL SERVICES INTO ENVIRONMENTAL HEALTH PRACTICE

- Mr. Osaki began the panel with a presentation called “Essential Services of Environmental Health” (see PowerPoint presentation for more information). He then asked panelists to discuss projects that are examples of best practices and leadership in environmental health.
- Corinne Story, Environmental Health Supervisor for Skagit County Health Department provided a presentation called “Environmental Health in Skagit County” (see PowerPoint presentation for more information). She focused on efforts to inform the public, educate, and mobilize partnerships, including a report called *Environmental Health Skagit County*.
- Keith Higman, Environmental Health Director for the Island County Health Department, reported on “The Island County Environmental Health Initiative,” which used the Protocol for Assessing Community Excellence in Environmental Health (PACE-EH) process to assess environmental health needs and increase capacity (see PowerPoint presentation for more information).
- Regina Delahunt, Director of the Whatcom County Health Department, and Susan Gribbin, Coordinator of Whatcom Coalition for Healthy Communities, presented “Do Communities Count?” They discussed efforts to engage and empower the community and the Community Counts Project of the Whatcom Coalition for Healthy Communities, which has been working to identify and monitor health indicators (see PowerPoint presentation for more information).
- Rick Porso, Public Health Manager for the Tacoma-Pierce County Health Department discussed *PULSE: The Public Health Report*, a collaboration with KBTC to present a weekly television program on public health issues (see PowerPoint presentation for more information).

PUBLIC TESTIMONY

Thelma Simon, parent of a Cle Elum High School student, testified that despite multiple expert recommendations that the carpet in the school be replaced, the carpet manufacturers said all that was needed was cleaning and the carpet has been cleaned using several cleaners.

Jim Green, parent of a Cle Elum High School student, thanked the Board for its interest in indoor air quality at the school, and said there are still problems and there is still a lot of work to be done. He said the local health department needs to play a stronger role and not leave things up to the school district. He asked that the Board continue to “have a watchful eye.”

The meeting was adjourned at 4:58 p.m.

WASHINGTON STATE BOARD OF HEALTH

Linda Lake, Chair